

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 10/27/2021 6:01:06 PM
To: 'William Thorson' Ex. 6 Personal Privacy (PP); 'Joe Dobesh' [JDobesh@co.saunders.ne.us]; Bednar, Candace [Bednar.Candace@epa.gov]; tom.buell@nebraska.gov
CC: 'Jody' Ex. 6 Personal Privacy (PP); Wu-Smart, Judy [jwu-smart@unl.edu]; 'Jane Kleeb, Bold Nebraska' [jane@boldnebraska.org]; 'George Cunningham' Ex. 6 Personal Privacy (PP)
Subject: FW: AltEn Site Report - AFRG, Clean Harbors and Newfields Continue Providing Unlicensed Engineering Services for Site Cleanup Construction
Attachments: 10-20-2021_-_PCS_-_84069_-_DEQ_Inspection_-_COMPLIANCE.pdf

Bill/Joe

I was just resending this email to you as a reminder to update you on my a complaint referred to the Nebraska Board of Engineers asserting that the AltEn contractors continue to engage in the practice of Professional Engineering at the site in contradiction to State Engineering Law.

This last site report shows continuing heavy construction activities without benefit of PE design supervision, review and oversight.

In particular, two new questionable practices are reported (in addition to all the previous civil work being done without a Nebraska or other PE involved in such as engineered grading and drainage plans as required in NE):

- 1) The site report states that the cleanup now involves demolition of the contaminated biochar unit. AFRG et al have not submitted the required Engineered Remediation yet. I can't find any engineer's Demo Plans and Specs reviewed by any Authority Having Jurisdiction, including NDEE, to assure that the work proceeds with safe construction work practices and ensures environmental limits are complied with. There seems to be no specification for handling contaminated equipment and vehicles for transportation on and off site, including lack of controls for fugitive emissions (road) dust control.
- 2) The site reports that the contractors are dumping some quantity of wastewater of unknown quality into the creek (perhaps via outfall 001) from the Cooling Tower Basin. I believe that NDEE allowed AFRG to use the basin as a temporary wastewater storage tank, but there is no NPDES Permit existing to allow unsampled unquantified discharge of cooling tower basin wastewater different than as specified as non-contact process cooling water in the permits of 2014, 2015 and 2017. This discharge is, in my opinion, not covered by any EPA Permit and is therefore currently in violation of Nebraska Regulations.

Given the recent discoveries of pesticide buildup in more drinking water wells S of site, and impending repeat failures of non-engineered stormwater containment, soil management and drainage structures, I'd suggest Village and County may want to have a discussion with NDEE on these matters as soon as possible.

Let me know if you have any questions or I can help in any way.

Regards,

Jim

Ex. 6 Personal Privacy (PP)

From: Ex. 6 Personal Privacy (PP)
Sent: Monday, October 25, 2021 4:16 PM
To: 'Wilbeck, Jon' <jon.wilbeck@nebraska.gov>; 'Habe, Amy' <Amy.Habe@nebraska.gov>
Cc: 'Jody' Ex. 6 Personal Privacy (PP); Wu-Smart, Judy <jwu-smart@unl.edu>; 'Judy' <jwu-smart@unl.edu>; 'William Thorson' Ex. 6 Personal Privacy (PP)
Subject: RE: AltEn Site Report - AFRG, Clean Harbors and Newfields Continue Providing Unlicensed Engineering Services for Site Cleanup Construction

Jon

Yes, thanks, here is the report.

Jim

From: Wilbeck, Jon <jon.wilbeck@nebraska.gov>

Sent: Monday, October 25, 2021 4:10 PM

To: Ex. 6 Personal Privacy (PP) Habe, Amy <Amy.Habe@nebraska.gov>

Subject: RE: AltEn Site Report - AFRG, Clean Harbors and Newfields Continue Providing Unlicensed Engineering Services for Site Cleanup Construction

Jim, did you intend to attach a file to this email? I didn't see one.



Executive Director

Nebraska Board of Engineers and Architects

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From: Ex. 6 Personal Privacy (PP)

Sent: Monday, October 25, 2021 3:56 PM

To: Wilbeck, Jon <jon.wilbeck@nebraska.gov>; Habe, Amy <Amy.Habe@nebraska.gov>; Buell, Thomas <thomas.buell@nebraska.gov>

Cc: 'Jody' Ex. 6 Personal Privacy (PP) Wu-Smart, Judy <jwu-smart@unl.edu>; 'William Thorson'

Ex. 6 Personal Privacy (PP)

Subject: AltEn Site Report - AFRG, Clean Harbors and Newfields Continue Providing Unlicensed Engineering Services for Site Cleanup Construction

Jon &c

Just forwarding Dan DeJong's latest NDEE Site Report showing multiple construction activities being carried out at the AltEn site without documentation of Engineering design supervision.

This should also be considered with some urgency by NDEE as well.

As you and the Board should note from this report:

- 1) Temporary Berms and trenches are being constructed without benefit of PE drawings, specs and QC
- 2) Clay base, geomembrane and unanalyzed soil is being transported across the site apparently to be used in a capping process that has not had formal Engineering submittals for review and approval.
- 3) Water treatment and quality information for water inventory is absent regarding use in dust control and pumping operations destinations.
- 4) Cooling tower is apparently being discharged off site without monitoring water quality in contradiction to NPDES outfall conditions.
- 5) Soil from under the tank farm construction is being transported to the former East Cake storage pile location without benefit of chemical analyses or Engineering Documentation.
- 6) Demolition of the Biochar Unit appears to be accomplished without PE stamped Demolition Plans and Specs.

Please let me know if you have any questions or need more information.

Regards,

Jim Boucher, PE (Emeritas)

Ex. 6 Personal Privacy (PP)

